

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

WAYNE BALIGA, derivatively on behalf of  
LINK MOTION INC. (F/K/A NQ MOBILE INC.)

Plaintiff,

-against-

LINK MOTION INC. (F/K/A NQ MOBILE  
INC.), VINCENT WENYONG SHI, ROLAND  
WU, and ZEMIN XU,

Defendants,

Civil Action No.: 1:18-cv-11642-VM-VF

**NOTICE OF RENEWED MOTION  
TO DISMISS THIRD AMENDED  
COMPLAINT**

**PLEASE TAKE NOTICE** that upon the Memorandum of Law filed on October 11, 2023, at ECF No. [481](#), and upon all prior proceedings, pleadings, and filings in this action, Defendants Link Motion Inc. f/k/a NQ Mobile Inc. (the “Company”) and Vincent Wenyong Shi (“Dr. Shi”), by their undersigned counsel, will move this Court, located at the United States Courthouse for the Southern District of New York, 500 Pearl Street, New York, New York, before the Honorable Valerie Figueredo, United States Magistrate Judge, at a date and time to be determined by the Court, for an Order granting the following relief:

- (1) Dismissing with prejudice, pursuant to Fed. R. Civ. Proc. 12(b)(6), the common law fraud claim asserted by Plaintiff Wayne Baliga in the Third Amended Complaint (ECF No. [470](#)); and
- (2) granting such other and further relief as the Court deems just and proper;

**PLEASE TAKE FURTER NOTICE** that, pursuant to Local Civil Rule 6.1(b), papers in opposition to this motion shall be filed and served within fourteen (14) days after service of the moving papers.

Dated: New York, New York  
December 10, 2024

Respectfully submitted,  
FELICELLO LAW P.C.

By: /s/ Michael James Maloney  
Michael James Maloney  
Rosanne E. Felicello  
366 Madison Avenue  
3rd Floor  
New York, NY 10017  
Tel. 212-584-7806  
mmaloney@felicellolaw.com  
*Attorneys for Defendants Link Motion Inc.  
f/k/a NQ Mobile Inc. and Vincent Wenyong  
Shi*

# MEMO ENDORSED

  
**HON. VALERIE FIGUEREDO**  
**UNITED STATES MAGISTRATE JUDGE**

Dated: 12/11/24

The parties are directed to meet and confer and propose a briefing schedule for the motion to dismiss by **Wednesday, December 18, 2024.**